

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

YVONNE PIERBERG,

Plaintiff,

vs.

STANDARD INSURANCE COMPANY,

Defendant.

CASE NO. 18-cv-03016-YGR

CASE MANAGEMENT AND PRETRIAL ORDER

The Court has read and reviewed the parties' Joint Case Management Conference Statement. (Dkt. No. 22). Given that this case arises under the Employee Retirement Income Security Act of 1974 ("ERISA"), 29 U.S.C. §§ 1001, *et seq.*, the Court will not set a date for a bench trial until briefing on cross motions under Federal Rule of Civil Procedure 56 is completed.¹ If required, a bench trial can be scheduled on a fairly expedited basis. In light of the instant order, the Court hereby **VACATES** the case management conference currently set for Monday, August 27, 2018 and **SETS** a new case management conference as stated herein. An earlier conference can be rescheduled if requested.

Defendant shall preserve the administrative record and lodge the same with the Court twenty-eight days after the close of discovery.

PRETRIAL SCHEDULE

LAST DAY TO AMEND PLEADINGS/ADD PARTIES	September 7, 2018
REFERRAL TO ADR; LAST DAY TO CONDUCT PRIVATE MEDIATION	Referred to Private Mediation December 21, 2018

¹ Should the parties determine that a bench trial will be required, rather than resolution on the papers, the Court will discuss the issue with the parties at the next case management conference and modify the schedule below to require simultaneous opening briefs and responsive briefs.


1	CASE MANAGEMENT CONFERENCE:	Monday, January 14, 2019 at 2:00 p.m.
2	DISCOVERY CUTOFF	February 28, 2019
3	PLAINTIFF TO FILE AFFIRMATIVE MOTION FOR JUDGMENT:	April 16, 2019
4		
5	DEFENDANT TO FILE A SINGLE/JOINT MOTION OPPOSING PLAINTIFF'S MOTION WITH ITS OWN CROSS-MOTION FOR JUDGMENT:	May 7, 2019
6		
7	PLAINTIFF TO FILE A REPLY A SINGLE/JOINT REPLY IN SUPPORT OF HIS/HER MOTION WITH AN OPPOSITION TO THE CROSS-MOTION:	May 21, 2019
8		
9	DEFENDANT TO FILE A REPLY IN SUPPORT OF THE CROSS-MOTION ONLY:	May 28, 2019
10		
11	HEARING	June 18, 2019 at 2:00 p.m.

The parties are **REFERRED** to private mediation to be completed by December 21, 2018. The parties shall provide the Court with the name of an agreed-upon mediator by September 7, 2018 by filing a JOINT Notice. A compliance hearing regarding shall be held on **Friday, September 14, 2018** on the Court's 9:01a.m. calendar, in the Federal Courthouse, 1301 Clay Street, Oakland, California, in Courtroom 1. By September 7, 2018, the parties shall file either the JOINT Notice or a one-page JOINT STATEMENT setting forth an explanation for their failure to comply. If compliance is complete, the parties need not appear and the compliance hearing will be taken off calendar. Telephonic appearances will be allowed if the parties have submitted a joint statement in a timely fashion.

The parties must comply with both the Court's Standing Order in Civil Cases and Standing Order for Pretrial Instructions in Civil Cases for additional deadlines and procedures. All Standing Orders are available on the Court's website at <http://www.cand.uscourts.gov/ygrorders>.

IT IS SO ORDERED.

Dated: August 22, 2018


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE